

**Resolution Number TC-1701**

**Relinquishment of a portion of the I-70 Business Loop North Frontage Road  
March 19, 2009**

**WHEREAS, the Colorado Department of Transportation (CDOT) acquired Parcels 9 through 15, inclusive, as right-of-way for State Highway No. 4, now known as the I-70 Business Loop, under Project Number F 001-1(8) and recorded under Reception Numbers 602534, 602535, 602536, 602537, 602538, 602539 and 602540; and**

**WHEREAS, the City of Grand Junction has requested that CDOT relinquish a portion of the I-70 Business Loop North Frontage Road in order to construct and maintain improvements thereon in conjunction with the 29 Road/I-70 Business Loop Interchange project as described in CDOT's 1601 evaluation and the subsequent Finding of No Significant Impact; and**

**WHEREAS, CDOT's Region 3 has surveyed and described those portions of Parcels 9 through 15 from Project Number F 001-1(8) which comprise the right-of-way to be relinquished to the City of Grand Junction and has designated the same as Parcel No. 100-X under CDOT Project No. CC 0701-175 (See Exhibit A and Exhibit B); and**

**WHEREAS, the relinquishment to the City of Grand Junction will include the creation and reservation by CDOT of new Access Control Lines where none presently exist (See Exhibit C); and**

**WHEREAS, the relinquishment to the City of Grand Junction will include a reversionary provision stipulating that the right-of-way shall revert to CDOT in the event the City of Grand Junction ceases to use the right-of-way for public transportation purposes; and**

**WHEREAS, the relinquishment to the City of Grand Junction will be subject to the right of any utility to continue to operate, reconstruct or maintain in perpetuity their facilities which may be within said right-of-way; and**

**WHEREAS, the requested relinquishment will reduce CDOT expenditures by requiring the City of Grand Junction to perpetually maintain the relinquished area; and**

**WHEREAS, the Regional Transportation Director supports the relinquishment of this right-of-way at this time; and**

**WHEREAS, the Chief Engineer and the Department are authorized pursuant to C.R.S. 43-1-106(8)(n); 43-1-110; 43-1-111; 43-1-114(3) and 43-1-210 to make determinations regarding transfer of title to real estate owned by the Department; and**

**WHEREAS, CDOT has declared through Pamela Hutton as Chief Engineer that this right-of-way may be relinquished to the City of Grand Junction so long as said right-of-way is maintained by the City as a Public Street; and**

**WHEREAS, the State will not dispose of these parcels prior to Federal Highway Administration approval; and**

**WHEREAS, the Transportation Commission concurs with the Chief Engineer that this right-of-way may be relinquished to the City of Grand Junction so long as said right-of-way is maintained by the City as a Public Street.**

**NOW THEREFORE BE IT RESOLVED, that pursuant to the Code of Federal Regulations, Title 23, Part 620, Subpart B (23 CFR 620.203, Subpart B), the Department of Transportation be given the authority to relinquish to the City of Grand Junction, by Quit Claim Deed, Parcel No. 100-X, CDOT Project No. CC 0701-175, as shown on Exhibits A and B and contained in the official agenda, containing 106,145.38 square feet (2.437 acres), more or less, subject to the reservation by CDOT of certain rights to Access Control as described in Exhibit C and further subject to the condition that the right-of-way shall revert to CDOT in the event the City of Grand Junction ceases to use the right-of-way for public transportation purposes.**